

106TH CONGRESS  
2D SESSION

# S. 2965

To amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 27, 2000

Mr. HOLLINGS (for himself, Mr. GRAHAM, Mr. BREAUX, and Mr. CLELAND) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To amend the Merchant Marine Act, 1936, to establish a program to ensure greater security for United States seaports, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Port and Maritime  
5       Security Act of 2000”.

6       **SEC. 2. FINDINGS.**

7       The Congress makes the following findings:

8               (1) There are 361 public seaports in the United  
9       States which have a broad range of characteristics,

1 and all of which are an integral part of our Nation's  
2 commerce.

3 (2) United States seaports conduct 95 percent  
4 of United States international trade. Over the next  
5 20 years, the total volume of imported and exported  
6 goods at seaports is expected to increase three-fold.

7 (3) The variety of trade and commerce that are  
8 carried out at seaports has greatly expanded. Bulk  
9 cargo, containerized cargo, passenger cargo and  
10 tourism, intermodal transportation systems, and  
11 complex domestic and international trade relation-  
12 ships have significantly changed the nature and con-  
13 duct of seaport commerce.

14 (4) The top 50 seaports in the United States  
15 account for about 90 percent of all the cargo ton-  
16 nage. Twenty-five United States seaports account  
17 for 98 percent of all container shipments. Cruise  
18 ships visiting foreign destinations embark from 16  
19 seaports.

20 (5) In the larger seaports, the activities can  
21 stretch along a coast for many miles, including pub-  
22 lic roads within their geographic boundaries. The fa-  
23 cilities used to support arriving and departing cargo  
24 are sometimes miles from the coast.

1           (6) Seaports often are a major locus of Federal  
2       crime, including drug trafficking, cargo theft, and  
3       smuggling of contraband and aliens. The criminal  
4       conspiracies often associated with these crimes can  
5       pose threats to the people and critical infrastruc-  
6       tures of seaport cities. Seaports that accept inter-  
7       national cargo have a higher risk of international  
8       crimes like drug and alien smuggling.

9           (7) Seaports are often very open and exposed,  
10      and by their very nature, could pose to be threats  
11      to large scale terrorism that could pose a threat to  
12      coastal, Great Lake, or riverain populations. Seaport  
13      terrorism could pose a significant threat to the abil-  
14      ity of the United States to pursue its national secu-  
15      rity objectives.

16          (8) United States seaports are international  
17      boundaries, however, unlike United States airports  
18      and land borders, United States seaports receive no  
19      Federal funds for security infrastructure.

20          (9) Current inspection levels of containerized  
21      cargo are insufficient to counter potential security  
22      risks. Technology is currently not adequate to allow  
23      for the non-intrusive inspection of containerized  
24      cargo, but promising technology is in the process of

1       being developed that could inspect cargo in a non-  
2       intrusive and timely fashion.

3           (10) The burgeoning cruise ship industry poses  
4       a special risk from a security perspective. The large  
5       number of United States citizens sailing on inter-  
6       national cruises provides an attractive target to ter-  
7       rorists seeking to cause mass casualties. Approxi-  
8       mately 80 percent of cruise line passengers are  
9       United States citizens and 20 percent are aliens. Ap-  
10      proximately 92 percent of crewmembers are aliens.

11          (11) Effective physical security and access con-  
12      trol in seaports is fundamental to deterring and pre-  
13      venting potential threats to seaport operations, cargo  
14      shipments for smuggling or theft or other cargo  
15      crimes.

16          (12) Securing entry points, open storage areas,  
17      and warehouses throughout the seaport, controlling  
18      the movements of trucks transporting cargo through  
19      the seaport, and searching containers, warehouses,  
20      and ships at berth or in the harbor are all important  
21      requirements that should be implemented.

22          (13) Identification procedures for arriving  
23      workers and deterring and preventing internal con-  
24      spiracies are increasingly important.

1           (14) On April 27, 1999, the President estab-  
2           lished the Interagency Commission on Crime and  
3           Security in United States Seaports to undertake a  
4           comprehensive study of the nature and extent of the  
5           problem of crime in our seaports, as well as the ways  
6           in which governments at all levels are responding.

7           (15) The Commission has issued preliminary  
8           findings that indicate the following:

9                   (A) Frequent crimes in seaports include  
10                  drug smuggling, illegal car exports, fraud (in-  
11                  cluding Intellectual Property Rights and other  
12                  trade violations), and cargo theft.

13                  (B) Data about crime in seaports have  
14                  been very difficult to collect.

15                  (C) Internal conspiracies are an issue at  
16                  many seaports, and contribute to Federal  
17                  crime.

18                  (D) Intelligence and information sharing  
19                  among law enforcement agencies needs to be  
20                  improved at many seaports.

21                  (E) Many seaports do not have any idea  
22                  about the threats they face from crime, ter-  
23                  rorism, and other security-related activities be-  
24                  cause vulnerability assessments are not per-  
25                  formed locally.

1           (F) A lack of minimum physical, proce-  
2           dural, and personnel security standards at sea-  
3           ports and at terminals, warehouses, trucking  
4           firms, and related facilities leaves many sea-  
5           ports and seaport users vulnerable to theft, pil-  
6           ferage, and unauthorized access by criminals.

7           (G) Access to seaports and operations  
8           within seaports is often uncontrolled.

9           (H) Coordination and cooperation between  
10          law enforcement agencies in the field is often  
11          fragmented.

12          (I) Meetings between law enforcement per-  
13          sonnel, carriers, and seaport authorities regard-  
14          ing security are not being held routinely in the  
15          seaports. These meetings could increase coordi-  
16          nation and cooperation at the local level.

17          (J) Security-related equipment such as  
18          small boats, cameras, and vessel tracking de-  
19          vices is lacking at many seaports.

20          (K) Detection equipment such as large-  
21          scale x-ray machines is lacking at many high-  
22          risk seaports.

23          (L) A lack of timely, accurate, and com-  
24          plete manifest (including in-bond) and trade

1 (entry, importer, etc.) data negatively impacts  
2 law enforcement's ability to function effectively.

3 (M) Criminal organizations are exploiting  
4 weak security in seaports and related inter-  
5 modal connections to commit a wide range of  
6 cargo crimes. Levels of containerized cargo vol-  
7 umes are forecasted to increase significantly,  
8 which will create more opportunities for crime  
9 while lowering the statistical risk of detection  
10 and interdiction.

11 (16) United States seaports are international  
12 boundaries that—

13 (A) are particularly vulnerable to threats  
14 of drug smuggling, illegal alien smuggling,  
15 cargo theft, illegal entry of cargo and contra-  
16 band;

17 (B) may present weaknesses in the ability  
18 of the United States to realize its national secu-  
19 rity objectives; and

20 (C) may serve as a vector for terrorist at-  
21 tacks aimed at the population of the United  
22 States.

23 (17) It is in the best interests of the United  
24 States—

1 (A) to increase United States seaport secu-  
2 rity by establishing a better method of commu-  
3 nication amongst law enforcement officials re-  
4 sponsible for seaport boundary, security, and  
5 trade issues;

6 (B) to formulate standards for physical  
7 seaport security needs, recognizing the different  
8 character and nature of United States seaports;

9 (C) to provide financial incentives to help  
10 the States and private sector to increase phys-  
11 ical security of United States seaports;

12 (D) to invest in long-term technology to fa-  
13 cilitate the private sector development of tech-  
14 nology that will assist in the non-intrusive time-  
15 ly detection of crime or potential crime;

16 (E) to harmonize data collection on sea-  
17 port-related and other cargo theft, in order to  
18 address areas of potential threat to safety and  
19 security;

20 (F) to create shared inspection facilities to  
21 help facilitate the timely and efficient inspection  
22 of people and cargo in United States seaports;  
23 and

24 (G) to improve Customs reporting proce-  
25 dures to enhance the potential detection of



1 crime in advance of arrival or departure of car-  
2 goes.

3 **SEC. 3. COAST GUARD PORT SECURITY TASK FORCE.**

4 (a) ESTABLISHMENT.—The Commandant of the  
5 Coast Guard, in cooperation with the Maritime Adminis-  
6 tration and the United States Customs Service, shall es-  
7 tablish a Port Security Task Force—

8 (1) to implement the provisions of this Act;

9 (2) to coordinate programs to enhance the secu-  
10 rity and safety of United States seaports;

11 (3) to provide long-term solutions for seaport  
12 safety issues;

13 (4) to coordinate the security operations of local  
14 seaport security committees; and

15 (5) to ensure that the public and local seaport  
16 security committees are kept informed about seaport  
17 security enhancement developments.

18 (b) MEMBERSHIP; CONSULTATION.—The Task Force  
19 shall include representatives of the Maritime Administra-  
20 tion and the United States Customs Service. In carrying  
21 out its responsibilities under this Act, the Task Force shall  
22 consult with other departments and agencies of the United  
23 States, States, and local governments with an interest in  
24 port security and port security-related matters, and with  
25 representatives of the private sector with an interest or

1 expertise in port security and port security-related mat-  
 2 ters.

3 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
 4 are authorized to be appropriated to the Secretary of  
 5 Transportation for activities of the Task Force—

6 (1) \$5,000,000 for each of fiscal years 2003  
 7 and 2004; and

8 (2) \$3,000,000 for each of fiscal years 2005  
 9 and 2006.

#### 10 **SEC. 4. PORT SECURITY THREAT ASSESSMENTS.**

11 (a) IN GENERAL.—The Task Force shall develop  
 12 standards and procedures for the conduct of seaport secu-  
 13 rity threat assessments for United States seaports, and  
 14 for the review and revision, if necessary, of those assess-  
 15 ments not less frequently than triennially.

16 (b) MAPS AND CHARTS.—

17 (1) COLLECTION AND DISTRIBUTION.—The  
 18 Task Force shall, working through local seaport se-  
 19 curity committees where appropriate

20 (A) collect maps and charts of all United  
 21 States seaports that clearly indicate the location  
 22 of infrastructure and overt-security equipment;  
 23 and

24 (B) make those maps and charts available,  
 25 on a secure and confidential basis, to—

- 1 (i) the Maritime Administration;
- 2 (ii) the United States Coast Guard;
- 3 (iii) the United States Customs Serv-
- 4 ice;
- 5 (iv) the Department of Defense; and
- 6 (v) the Federal Bureau of Investiga-
- 7 tion.

8 (2) OTHER AGENCIES.—The Task Force shall  
9 establish a process for providing relevant maps and  
10 charts collected under paragraph (1), and other rel-  
11 evant material, available, on a secure and confiden-  
12 tial basis, to appropriate Federal, State, and local  
13 government agencies, and seaport authorities, for  
14 the purpose of obtaining the comments of those  
15 agencies and before making a seaport vulnerability  
16 threat assessment for each such seaport.

17 (3) SECURE STORAGE AND LIMITED ACCESS.—  
18 The Task Force shall establish, in cooperation with  
19 appropriate government agencies, procedures that  
20 ensure that maps, charts, and other material made  
21 available to Federal, State, and local government  
22 agencies, seaport authorities, and local seaport secu-  
23 rity committees are maintained in a secure and con-  
24 fidential manner and that access thereto is limited  
25 appropriately.

1 (c) PUBLIC INFORMATION.—Notwithstanding section  
2 7(c) of the Ports and Waterways Safety Act (33 U.S.C.  
3 1226(c)), the Task Force shall, from time to time and uti-  
4 lizing such media (including the Internet) as may be ap-  
5 propriate, make information available to the public about  
6 the assessments made under this section in a form that  
7 does not compromise, or present a threat to the disclosure  
8 of security-sensitive information about, those assessments.

9 **SEC. 5. SECURITY GUIDELINES.**

10 (a) IN GENERAL.—The Task Force shall develop vol-  
11 untary minimum security guidelines that—

12 (1) are linked to the United States Coast Guard  
13 Captain-of-the-Port controls for maritime trade;

14 (2) include a model seaport concept; and

15 (3) include a set of recommended “best prac-  
16 tices” guidelines for the use of maritime terminal  
17 operators.

18 (b) REVISION.—The Task Force shall review the  
19 guidelines developed under subsection (a) not less fre-  
20 quently than every 5 years and revise them as necessary.

21 (c) COMPLIANCE ENHANCEMENT.—If the Task  
22 Force finds, after the voluntary guidelines established  
23 under subsection (a) have been in effect for a reasonable  
24 period of time, that an appropriate increase in security  
25 has not occurred under the voluntary guidelines, or that

1 there are inconsistencies in the application of the guide-  
2 lines that need to be addressed in order to improve seaport  
3 security generally, then the United States Coast Guard  
4 and the United States Customs Service shall, at its re-  
5 quest, initiate rulemaking procedures or take other appro-  
6 priate action to require compliance with the guidelines.

7 (d) MINIMUM STANDARDS.—The guidelines devel-  
8 oped under subsection (a) shall include guidelines that  
9 meet the following minimum standards:

10 (1) GENERAL SECURITY.—The establishment of  
11 uniform practices for physical security of seaport  
12 areas and approaches, procedural security for proc-  
13 essing passengers, cargo, and crewmembers, and  
14 personnel security for employment of individuals and  
15 service providers.

16 (2) ACCESS TO SENSITIVE AREAS.—The use of  
17 a credentials process, administered by public or pri-  
18 vate sector security services, to limit access to sen-  
19 sitive areas. In connection with this standard, the  
20 Task Force shall consider the desirability and feasi-  
21 bility of utilizing criminal background checks to as-  
22 sist in determining access to restricted or sensitive  
23 areas at seaports generally or on a seaport-by-sea-  
24 port basis.

1           (3) VEHICULAR ACCESS.—The use of restric-  
2           tions on vehicular access to seaport areas and facili-  
3           ties, including requirements that seaport authorities  
4           and primary users of seaports implement procedures  
5           that achieve appropriate levels of control of vehicular  
6           access and accountability for enforcement of con-  
7           trolled access by vehicles.

8           (4) FIREARMS.—Restrictions on carrying fire-  
9           arms.

10          (5) CERTIFICATION OF PRIVATE SECURITY OF-  
11          FICERS.—A private security officer certification pro-  
12          gram to improve the professionalism of seaport secu-  
13          rity officers.

14          (e) MARITIME ADMINISTRATION; PORT ACCREDITA-  
15          TION PROGRAM.—Except as provided in subsection (c),  
16          the Maritime Administration shall make every effort to  
17          have the guidelines developed under subsection (a) adopt-  
18          ed by appropriate organizations as voluntary guidelines  
19          and shall establish a program for the private sector ac-  
20          creditation of seaports that implement the guidelines.

21          (f) COAST GUARD; INTERNATIONAL APPLICATION.—  
22          Except as provided in subsection (c), the Coast Guard  
23          shall make every effort to have the guidelines developed  
24          under subsection (a) by appropriate international organi-  
25          zations as voluntary guidelines and shall, acting through

1 appropriate officers of the United States Government,  
 2 seek to encourage the development and adoption of sea-  
 3 port security guidelines under international agreements in  
 4 other countries where adoption of the same or similar  
 5 guidelines might be appropriate.

6 (g) NO EROSION OF OTHER AUTHORITY.—Nothing  
 7 in this section precludes any agency, instrumentality, or  
 8 department of the United States from exercising, or limits  
 9 its authority to exercise, any other statutory or regulatory  
 10 authority to initiate security standards.

11 **SEC. 6. PORT SECURITY INFRASTRUCTURE IMPROVEMENT.**

12 (a) IN GENERAL.—Title XI of the Merchant Marine  
 13 Act, 1936 (46 U.S.C. App. 1101 et seq.) is amended by  
 14 adding at the end thereof the following:

15 **“SEC. 1113. LOAN GUARANTEES FOR PORT SECURITY IN-**  
 16 **FRASTRUCTURE IMPROVEMENTS.**

17 “(a) IN GENERAL.—The Secretary, under section  
 18 1103(a) and subject to the terms the Secretary shall pre-  
 19 scribe and after consultation with the United States Coast  
 20 Guard, the United States Customs Service, and the Port  
 21 Security Task Force established under section 3 of the  
 22 Port and Maritime Security Act of 2000, may guarantee  
 23 or make a commitment to guarantee the payment of the  
 24 principal of, and the interest on, an obligation for seaport  
 25 security infrastructure improvements for an eligible

1 project at any United States seaport involved in inter-  
2 national trade.

3 “(b) LIMITATIONS.—Guarantees or commitments to  
4 guarantee under this section are subject to the extent ap-  
5 plicable to all the laws, requirements, regulations, and pro-  
6 cedures that apply to guarantees or commitments to guar-  
7 antee made under this title.

8 “(c) TRANSFER OF FUNDS.—The Secretary may ac-  
9 cept the transfer of funds from any other department,  
10 agency, or instrumentality of the United States Govern-  
11 ment and may use those funds to cover the cost (as de-  
12 fined in section 502 of the Federal Credit Reform Act of  
13 1990 (2 U.S.C. 61a)) of making guarantees or commit-  
14 ments to guarantee loans entered into under this section.

15 “(d) ELIGIBLE PROJECTS.—A project is eligible for  
16 a loan guarantee or commitment under subsection (a) if  
17 is for the construction or acquisition of—

18 “(1) equipment or facilities to be used for sea-  
19 port security monitoring and recording;

20 “(2) security gates and fencing;

21 “(3) security-related lighting systems;

22 “(4) remote surveillance systems;

23 “(5) concealed video systems; or



1           “(6) other security infrastructure or equipment  
2           that contributes to the overall security of passengers,  
3           cargo, or crewmembers.”.

4           (b) ANNUAL ACCOUNTING.—The Secretary of Trans-  
5           portation shall submit an annual summary of loan guaran-  
6           tees and commitments to make loan guarantees under sec-  
7           tion 1113 of the Merchant Marine Act, 1936, to the Task  
8           Force. The Task Force shall make that information avail-  
9           able to the public and to local seaport security committees  
10          through appropriate media of communication, including  
11          the Internet.

12          (c) AUTHORIZATION OF APPROPRIATIONS.—There  
13          are authorized to be appropriated to the Secretary of  
14          Transportation—

15                (1) \$10,000,000 for each of the fiscal years  
16                2003, 2004, 2005, and 2006 as guaranteed loan  
17                costs (as defined in section 502(5) of the Federal  
18                Credit Reform Act of 1990; 2 U.S.C. 661a(5)); and

19                (2) \$2,000,000 for each such fiscal year to  
20                cover administrative expenses related to loan guar-  
21                antees.

22   **SEC. 7. RESEARCH AND DEVELOPMENT.**

23          (a) GRANT PROGRAM.—The United States Customs  
24          Service, after consultation with the Task Force, shall es-  
25          tablish a grant program to develop and transfer tech-

1 nology to enhance security at United States seaports.  
2 Grants shall be awarded on the basis of competition. The  
3 maximum amount of any grant of funds made available  
4 under the program to a participant other than a depart-  
5 ment or agency of the United States for a technology de-  
6 velopment project may not exceed 50 percent of costs of  
7 that project.

8 (b) ANNUAL ACCOUNTING.—The United States Cus-  
9 tom Service shall submit an annual summary of grants  
10 under subsection (a) to the Task Force. The Task Force  
11 shall make that information available to the public and  
12 to local seaport security committees through appropriate  
13 media of communication, including the Internet.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There  
15 are authorized to be appropriated to the Secretary of the  
16 Treasury—

17 (1) \$12,000,000 for each of fiscal years 2003  
18 and 2004, and \$14,000,000 for each of fiscal years  
19 2005 and 2006, to carry out subsection (a); and

20 (2) \$3,000,000 for each such fiscal year to in-  
21 crease United States Customs Service presence at  
22 United States seaports and to carry out its duties  
23 under this Act.

1 **SEC. 8. ANNUAL REPORT ON MARITIME SECURITY AND**  
2 **TERRORISM.**

3 Section 905 of the International Maritime and Post  
4 Security Act (46 U.S.C. App. 1802) is amended by adding  
5 at the end thereof the following: “Beginning with the first  
6 report submitted under this section after the date of en-  
7 actment of the Port and Maritime Security Act of 2000,  
8 the Secretary shall include a description of activities un-  
9 dertaken under that Act and an analysis of the effect of  
10 those activities on seaport security against acts of ter-  
11 rorism.”.

12 **SEC. 9. REVISION OF PORT SECURITY PLANNING GUIDE.**

13 The Secretary of Transportation, acting through the  
14 Maritime Administration and after consultation with the  
15 Task Force and the United States Coast Guard, shall pub-  
16 lish a revised version of the document entitled “Port Secu-  
17 rity: A National Planning Guide”, incorporating the  
18 guidelines promulgated under section 5, within 3 years  
19 after the date of enactment of this Act, and make that  
20 document available on the Internet.

21 **SEC. 10. ESTABLISHMENT OF LOCAL PORT SECURITY COM-**  
22 **MITTEES.**

23 (a) IN GENERAL.—The United States Coast Guard  
24 shall establish seaport security committees—

25 (1) to utilize the information made available  
26 under this Act;

1           (2) to implement port security threat assess-  
2           ments promulgated under section 4; and

3           (3) to implement the guidelines promulgated  
4           under section 5.

5           (b) MEMBERSHIP.—In establishing those committees,  
6 the United States Coast Guard may utilize or augment  
7 any existing harbor safety committee or seaport readiness  
8 committee, but the membership of the seaport security  
9 committee shall include representatives of—

10           (1) the port authority;

11           (2) Federal, State and local government;

12           (3) labor organizations; and

13           (4) the private sector.

14           (c) CHAIRMAN.—The local seaport security com-  
15 mittee shall be chaired by the United States Coast Guard's  
16 Captain-of-the-Port.

17           (d) AUTHORIZATION OF APPROPRIATIONS.—There  
18 are authorized to be appropriated to the Secretary of the  
19 Department in which the Coast Guard is operating  
20 \$3,000,000 for each of fiscal years 2003, 2004, 2005, and  
21 2006 to carry out this section.

22 **SEC. 11. ATTORNEY GENERAL TO COORDINATE PORT-RE-**  
23 **LATED CRIME DATA COLLECTION.**

24           (a) IN GENERAL.—The Attorney General of the  
25 United States shall—

1           (1) require, to the extent feasible, United States  
2       government agencies with significant regulatory or  
3       law enforcement responsibilities at United States  
4       seaports to modify their information databases to  
5       ensure the collection and retrievability of data relat-  
6       ing to crime at or affecting such seaports;

7           (2) evaluate the feasibility of capturing data on  
8       cargo theft offenses (including such offenses occur-  
9       ring outside such seaports) through the National In-  
10      cident-Based Reporting System, and, if feasible, im-  
11      plement its capture; and

12          (3) in conjunction with the Task Force, estab-  
13      lish an outreach program to work with State law en-  
14      forcement officials to harmonize the reporting of  
15      data on cargo theft among the States and with the  
16      United States government's reports.

17      (b) AUTHORIZATION OF APPROPRIATIONS.—There  
18      are authorized to be appropriated to the Attorney General  
19      \$2,000,000 for each of fiscal years 2003, 2004, 2005, and  
20      2006, to modify existing data bases to capture data on  
21      cargo theft offenses through the National Incident-Based  
22      Reporting System and to make grants to States to har-  
23      monize data on cargo theft.

1 **SEC. 12. SHARED DOCKSIDE INSPECTION FACILITIES.**

2 (a) IN GENERAL.—The Secretary of the Treasury,  
3 the Secretary of Agriculture, the Secretary of Transpor-  
4 tation, and the Attorney General shall work with each  
5 other, the Task Force, and the States to establish shared  
6 dockside inspection facilities at United States seaports for  
7 Federal and State agencies.

8 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
9 are authorized to be appropriated to the Secretary of  
10 Transportation \$3,000,000 for each of fiscal years 2003,  
11 2004, 2005, and 2006, to establish shared dockside in-  
12 spection facilities at United States seaports in consulta-  
13 tion with the Secretary of the Treasury, the Secretary of  
14 Agriculture, and the Attorney General.

15 **SEC. 13. IMPROVED CUSTOMS REPORTING PROCEDURES.**

16 (a) IN GENERAL.—The United States Customs Serv-  
17 ice shall improve reporting of imports at United States  
18 seaports—

19 (1) by promulgating regulations to require all  
20 ocean manifests to be transmitted in electronic form  
21 to the Service in sufficient time for the information  
22 to be used effectively by the Service;

23 (2) by promulgating regulations to require all  
24 entries of goods, including in-bond entries, to pro-  
25 vide the same information required for entries of  
26 goods released into the commerce of the United

1 States to the Service before the goods are released  
 2 for shipment from the seaport of first arrival; and  
 3 (3) by distributing the information described in  
 4 paragraphs (1) and (2) on a real-time basis to any  
 5 Federal, State, or local government agency that has  
 6 a regulatory or law-enforcement interest in the  
 7 goods.

8 (b) PAPERWORK ELIMINATION.—

9 (1) Section 433(a)(1)(C) of the Tariff Act of  
 10 1930 (19 U.S.C. 1433(a)(1)(C)) is amended by  
 11 striking “bonded merchandise, or”.

12 (2) Section 434(a)(3) of that Act (19 U.S.C.  
 13 1434(a)(3)) is amended by striking “bonded mer-  
 14 chandise or”.

15 (3) Section 4197(a)(2) of the Revised Statutes  
 16 (46 U.S.C. App. 91(a)(2)) is amended by striking  
 17 “bonded merchandise or”.

18 **SEC. 14. 4-YEAR REAUTHORIZATION OF TONNAGE DUTIES.**

19 (a) IN GENERAL.—

20 (1) EXTENSION OF DUTIES.—Section 36 of the  
 21 Act of August 5, 1909 (36 Stat. 111; 46 U.S.C.  
 22 App. 121) is amended by striking “through 2002”  
 23 each place it appears and inserting “through 2006”.

24 (2) CONFORMING AMENDMENT.—The Act enti-  
 25 tled “An Act concerning tonnage duties on vessels

1 entering otherwise than by sea”, approved March 8,  
2 1910 (36 Stat 234; 46 U.S.C. App. 132) is amended  
3 by striking “through 2002,” and inserting “through  
4 2006,”.

5 (b) AVAILABILITY OF FUNDS.—From amounts de-  
6 posited in the general fund of the Treasury as receipts  
7 of tonnage charges collected as a result of the amendments  
8 made by subsection (a), \$40,000,000 shall be made avail-  
9 able in each of fiscal years 2003, 2004, 2004, and 2006  
10 to carry out this Act.

11 **SEC. 15. DEFINITIONS.**

12 In this Act:

13 (1) SECRETARY.—Except as otherwise provided,  
14 the term “Secretary” means the Secretary of Trans-  
15 portation.

16 (2) TASK FORCE.—The term “Task Force”  
17 means the Port Security Task Force established  
18 under section 3.

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